

FIRST REGULAR SESSION

[PERFECTED]

# HOUSE BILL NO. 635

## 97TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES FITZWATER (Sponsor), FRAKER, REDMON, RHOADS,  
HICKS, BLACK AND CONWAY (104) (Co-sponsors).

1673L.02P

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To repeal section 217.345, RSMo, and to enact in lieu thereof one new section relating to correctional treatment programs for first offenders.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Section 217.345, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 217.345, to read as follows:

217.345. 1. Correctional treatment programs for first offenders in the department shall be established, subject to the control and supervision of the director, and shall include such programs deemed necessary and sufficient for the successful rehabilitation of offenders.

2. Correctional treatment programs for offenders who are younger than [seventeen] **eighteen** years of age shall be established, subject to the control and supervision of the director. By January 1, 1998, such programs shall include physical separation of offenders who are younger than [seventeen] **eighteen** years of age from offenders who are [seventeen] **eighteen** years of age or older.

3. The department shall have the authority to promulgate rules pursuant to subsection 2 of section 217.378 to establish correctional treatment programs for offenders under age [seventeen] **eighteen**. Such rules may include:

(1) Establishing separate housing units for such offenders; **and**

(2) Providing housing and program space in existing housing units for such offenders that is not accessible to adult offenders[]; and

(3) Establishing a regimented training program for such offenders.

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16           4. Any regimented training program established pursuant to subdivision (3) of subsection  
17 3 of this section shall include the following objectives:

18           (1) To provide a daily regimen for offenders including physical training, self-discipline,  
19 educational programs and work programs;

20           (2) To provide staff who have received appropriate training in the treatment of offenders  
21 under age seventeen and who are capable role models and mentors;

22           (3) To provide offenders with instruction on how to solve problems and strategies to  
23 change offenders' predisposition to commit crime;

24           (4) To provide offenders who have demonstrated positive behavioral change with the  
25 opportunity to gradually reenter the community; and

26           (5) To provide for parole supervision consisting of highly structured surveillance and  
27 monitoring, educational and treatment programs.

28           5.] .

29           4. The department shall have the authority to determine the number of juvenile offenders  
30 participating in any treatment program depending on available appropriations. The department  
31 may contract with any private or public entity for the provision of services and facilities for  
32 offenders under age [seventeen] **eighteen**. The department shall apply for and accept available  
33 federal, state and local public funds including project demonstration funds as well as private  
34 moneys to fund such services and facilities.

35           [6.] 5. The department shall develop and implement an ongoing evaluation process for  
36 all juvenile offender programs.

37           [7. Any prosecuting attorney who prosecutes an offender under the age of seventeen shall  
38 maintain records regarding the sentencing of that offender, including any treatment programs to  
39 which that offender is assigned.

40           8. The department shall submit an evaluation report to the governor and the general  
41 assembly concerning offenders under age seventeen and the programs available to them on or  
42 before each January 30, beginning in 1999. This report shall include, but is not limited to, the  
43 following items:

44           (1) The specific content and structure of programs for offenders, including staffing ratios  
45 for each program, and a description of the daily routine of offenders in those programs;

46           (2) The process used for placing offenders on parole, including whether offenders may  
47 be returned to their original environment for the parole period, the specific means of parole  
48 supervision and the specific educational and treatment programs provided to offenders during  
49 their parole period;

50           (3) The procedure for transferring an offender to another facility for vocational or  
51 training services or when an offender poses a danger to himself or others, and identification of  
52 the facilities used for such purposes;

53           (4) The specific criteria and procedures for determining successful completion of a  
54 treatment program, whether an offender cannot successfully complete a treatment program, and  
55 whether an offender's parole shall be revoked;

56           (5) The recidivism rate for offenders successfully completing a treatment program  
57 compared with the recidivism rate for offenders not successfully completing a treatment  
58 program.]

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